

# **EXHIBIT 53**



Via Facsimile

January 3, 2007

Maurice M. Suh  
Gibson, Dunn & Crutcher LLP  
333 South Grand Avenue  
Los Angeles, CA 90071-3197

Re: USADA v. Floyd Landis  
AAA Case No. 30 190 00847 06

Dear Mr. Suh:

I am in receipt of your correspondence dated January 2, 2007 regarding the above-referenced matter. First, as I explained to you and Mr. Jacobs during our telephone conversation from the early evening of December 29, 2006, because I have received inconsistent messages from you and Mr. Jacobs, I need clarification regarding who is acting as lead counsel for Mr. Landis in this matter, so that I may respond appropriately.

As you are aware, on December 27, 2006 I sent a letter to Mr. Jacobs setting forth a detailed schedule of IRMS testing of several of Mr. Landis's samples and providing Mr. Landis an opportunity to have an expert present during that testing. I then spoke with Mr. Jacobs on the morning of December 29, 2006. Mr. Jacobs raised no objection to the tests, but instead asked if the testing could be done in a shorter period of time and indicated that he would let me know which expert Mr. Landis would ask to be in attendance. He also indicated that he may call later that day with a scheduling question.

As you know, I never received a call regarding the scheduling questions. Instead, I received an introductory call from you where you made a number of demands regarding discovery and answers to various questions. I explained to you that I was in the middle of my three year old son's birthday party, but that I would be happy to address any reasonable concerns. We agreed that you would send me an email outlining the issues you wanted to discuss and that you would call me on January 1, 2007 to further the discussion.

Despite our agreement, you never sent an email or called me as outlined above. I followed up with Mr. Jacobs on January 1, informing him that I had not received the e-mail and that once you did send the e-mail we could set up a conference call to discuss the issues. He indicated that he would speak with you about this.

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Instead, I come to the office today, after directly informing you that our offices were closed until today and that I would be out, and find two letters from you dated December 29, 2006 and January 2, 2007 neither of which accurately reflect my conversation with you and Mr. Jacobs of December 29, 2006 or my conversation with Mr. Jacobs of January 1, 2007. I am more than a little dismayed that you have already decided to resort to threats of litigation rather than make a genuine effort to understand the process and discuss any potential issues. I sincerely hope that this is not an indication of the style you intend to employ as we continue toward resolution of this matter.


As I have consistently indicated from the beginning, I am perfectly willing to enter into a reasonable dialogue about any concerns or questions that you have. What I am unwilling to do is waste my resources responding to letters that mischaracterize previous conversations. Further, I would like to remove the possibility for continuing confusion by having Mr. Landis confirm which of his co-counsel will be taking the lead in this matter so that I do not spend additional time engaging in separate conversations with co-counsel who do not seem to be on the same page. Accordingly, please indicate to me in writing who is the lead counsel on this matter, so that I may direct all communication, including telephone calls, to the appropriate representative. If you are taking the lead on this matter, please provide me all of your contact information including your mobile phone if you do not mind me contacting you there.

Once this confusion has been cleared-up, I will be in contact with that person concerning the matters previously discussed.

Also, please disclose you and your firm's involvement in this matter to the American Arbitration Association and the arbitrators in this case in order to clear any potential conflicts as expeditiously as possible. Please copy me on your appearance notice.

For your future use, please send all communication directly to me. You are not authorized to send communications to persons or entities that you are aware will be witnesses in this matter including the French laboratory.

Sincerely,



Travis T. Tygart  
General Counsel

cc: Howard L. Jacobs, Esq.